

RS-8410-1

JOHN SEXTON CONTRACTORS CO.

900 JORIE BOULEVARD  
OAK BROOK, ILLINOIS 60521

(312) 654-1280

US EPA RECORDS CENTER REGION 5



414124

March 28, 1980

**RECEIVED**

**MAR 31 1980**

**ILL. E.P.A. - D.L.P.C.  
STATE OF ILLINOIS**

Mr. Kenneth P. Bechely  
Northern Regional Manager  
Field Operations Section  
Division of Land/Noise Pollution Control  
Illinois E. P. A.  
33 So. Stolp Ave.  
Aurora, Il. 60504

Re: Cook County - 03118001 - Matteson/Sexton

Dear Mr. Bechely:

In response to your March 10, 1980 letter, I would like to bring you up to date as to the events that have occurred and result in our present position as to this project.

As I indicated in my letter of October 30, 1979 to Tom Cavanagh, we ceased operations but viewed the court order as a temporary interruption of service (copy of letter enclosed). We have filed an appeal with the Illinois Appellate Court as to the ruling of the lower court and a decision is still pending (copy of appeal enclosed).

We have also filed with the Cook County Zoning Board an application for rezoning and a special use application for use of the property as a sanitary landfill (copies of said application enclosed). As of today a hearing before the Cook County Zoning Board is scheduled for May 9, 1980 at the Village Hall in Richton Park.

Mr. Kenneth P. Bechely

March 28, 1980

- 2 -

We have continued the environmental surveillance of the site through the monitoring wells and routine observations of site conditions. No negative impacts have been reported to date. Your inspectors have continued the inspection schedule and should be able to confirm our findings.

As I stated earlier, we view the closure as a temporary interruption of service and intend to continue to pursue all aspects to re-open the facility.

Again, let me reassure you of our complete co-operation and concern for maintaining this project until fully completed.

Very truly yours,

JOHN SEXTON CONTRACTORS CO.



Arthur A. Daniels  
Executive Vice President

AAD:ms

cc: Mr. Thomas E. Cavanagh  
Ill. E.P.A., Springfield

encls: Ill. E.P.A. letter dated March 10, 1980  
John Sexton Contr. Co. letter to E.P.A. dated Oct. 30, 1979  
Application for Re-Zoning to Cook Co. Zoning Board - Feb. 19, 1980  
Appeal to Appellate Court of Illinois

JOHN SEXTON CONTRACTORS CO.

900 JORIE BOULEVARD  
OAK BROOK, ILLINOIS 60521

312 - 654-1280

October 30, 1979

Mr. Thomas E. Cavanagh, Jr.  
Illinois Environmental Protection Agency  
Division of Land Pollution Control  
2200 Churchill Rd.  
Springfield Il. 62706

Re: Cook County - 03118001  
Matteson/Sexton - I-57

Dear Mr. Cavanagh:

I would like to bring you up to date on the status of the above mentioned landfill project.

On Sept. 18, 1979 the Circuit Court granted judgment on the pleadings in favor of the Village of Richton Park and Cook County against Sexton, with respect to Sexton's Fourth Affirmative Defense and Count V of its Counterclaim. A notice of Appeal to the Illinois Appellate Court for the First District was filed on Oct. 1, 1979. Also, on Sept. 18, 1979 a preliminary injunction was issued and filling operations ceased.

On Oct. 17, 1979 Judge Richard L. Curry entered a decree permanently enjoining of sanitary landfill operation at the site until county zoning was obtained.

Although the site has ceased incoming refuse operations, we have not given up on this project and view this as a temporary interruption of service.

Mr. Thomas E. Cavanagh, Jr.

October 30, 1979

- 2 -

Intermediate cover, if not final cover, has been applied to the filled areas, site maintenance will be continued as normal pending our appeal and/or rezoning.

We plan to provide quarterly monitoring reports on the same schedule as previously employed. Your inspectors should be advised to call our office to arrange for access to the site during this period.

Again, let me reassure you of our complete co-operation and concern for maintaining this project until fully completed.

Very truly yours,

JOHN SEXTON CONTRACTORS CO.



Arthur A. Daniels  
Executive Vice President

AAD:ms

# Illinois Environmental Protection Agency



312/897-1132  
33 South Stolp Avenue  
Aurora, Illinois 60504

Refer to: Cook County - 03118001 - Matteson/Sexton

March 10, 1980

John Sexton Contractors  
900 Jorie Boulevard  
Oak Brook, Illinois 60521

Attention: Messrs. Bill Jackson and Art Daniels

Gentlemen:

As you are more than aware, a Circuit Court Order requiring your Richton Park sites closure was handed down recently. It is this Agency's opinion that with the above Order in force complete final closure requirements for landfill sites must be undertaken. Closure requirements in the Solid Waste Rules and Regulations state:

- a. The owner or operator of a sanitary landfill site shall monitor gas, water, and settling at the completed site for a period of three years after the site is completed or closed.
- b. The owner or operator shall take whatever remedial action is necessary to abate any gas, water, or settling problems which appear during the three year period.
- c. The owner or operator shall, upon completion or closure, file a detailed description of the site, including a plat, with the appropriate county land recording authority for the county in which the site is located.\*

In addition, final cover requirements must be followed.

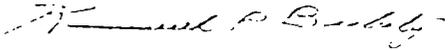
While it may be possible for your office to obtain a legal order precluding final closure during the pendency appeal, there is no such order currently in effect, thus, this Agency must regard the site as one which should be closed according to appropriate law.

\*Rule 318, Illinois Pollution Control Board Rules and Regulations, Chapter 7, adopted July 27, 1973.

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This office suggests you begin efforts to bring this site into compliance with the above regulations. If you have any comments or questions, please do not hesitate to call this office.

Sincerely,



Kenneth P. Bechely, Northern Region Manager  
Field Operations Section  
Division of Land/Noise Pollution Control

KPB:CFB:bls/0898B,8

ENCLOSURE - 105 DECEMBER 1988

cc: Division File  
Northern Region  
Cook County Department of Environmental Control



DEPARTMENT OF BUILDING AND ZONING  
OF COOK COUNTY, ILLINOIS

RICHARD J. DALEY CENTER

CHICAGO, ILLINOIS 60602

ROOM 309

443-7693

GEORGE W. DUNNE  
President of the Board of  
Commissioners of Cook County

WILLIAM F. HARRIS  
Commissioner of Building  
and Zoning

APPLICATION FOR A MAP AMENDMENT  
TO THE  
COOK COUNTY ZONING ORDINANCE

A-80-03

Zoning Board of Appeals  
Number

Application Number  
Rich

County Board Number

Township  
28

Section  
February 19, 1980

Date Filed

Two copies of a Registered Surveyor's plat of survey  
must accompany application. Applicant will be notified  
of the date and place of the Public Hearing.

1. Applicant DANIEL L. HOULIHAN Telephone 372-6255

Address 111 W. Washington Street / Chicago, Illinois

2. Owner Cosmopolitan National Bank Telephone 664-5200

T/U/T #21247

Address 801 North Clark Street, Chicago, Illinois

3. Applicant is (Check one) Attorney () Agent () or Other \_\_\_\_\_  
(Submit Letter of Authorization from Owner) (Specify)

4. The present owner acquired legal title to the subject property on 7/22/74  
(Date)

5. Location and acreage of property See attached rider

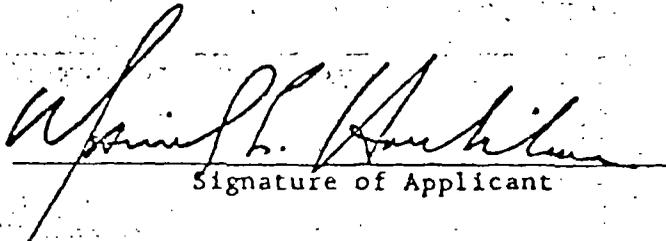
6. Legal description of subject property See attached rider

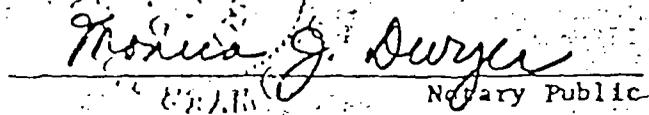
7. Present Zoning R-4 Single Family Residence District  
Parcel #1 - P2 Open Land District
8. Proposed zoning change Parcel #2 I1 Restricted Industrial District
9. Has the present applicant previously sought to rezone the subject site or part of it?  
No When? \_\_\_\_\_ To what district classification? \_\_\_\_\_
10. Is the subject property planned to be improved? yes When? upon rezoning
11. What will be the actual use of the improvement? see rider  
 (if granted under companion SU-80-\_\_\_\_\_)
12. Is Public Sewer available? no
13. Is Public Water available? no

County of Cook )  
 ) SS.  
 State of Illinois )

DANIEL L. HOULIHAN, being first duly sworn, on oath  
 deposes and says, that all of the above statements and the statements contained in the  
 documents submitted herewith are true.

Subscribed and sworn to before me this  
21st day of February 1980

  
 Signature of Applicant

  
 Notary Public

Introduced By:.....DATE.....  
 Forwarded to the Board of Commissioners.....DATE.....  
 Copy to the Zoning Board of Appeals.....DATE.....

\$ \_\_\_\_\_ Fee Paid Receipt No. \_\_\_\_\_ Received By: \_\_\_\_\_

R I D E R

# 5. LOCATION AND ACREAGE OF PROPERTY:

Parcel 1: Consists of approximately 44 acres, located on the West side of I-57, approximately 700 feet east of Central Road and approximately 400 feet North of Sauk Trail in Rich Township.

Parcel 2: Consists of approximately 41 acres, West of and contiguous to Parcel 1 aforesaid, located at the Northeast corner of Central Road and Sauk Trail in Rich Township.

# 6. LEGAL DESCRIPTION:

Parcel 1: That part of the Southwest Quarter of Section 28, Township 35 North, Range 13 East of the Third Principal Meridian except the North 232.5 feet, the West 700' and the South 400' thereof. Lying West of the Interstate 57 right-of-way. All in Rich Township, Cook County, Illinois containing 43.68 acres, more or less exclusive of the right-of-way for Sauk Trail, Central Road and I-57.

Parcel 2: The West 700' and the South 400' of all that part of the Southwest Quarter of Section 28, Township 35 North, Range 13 East of the Third Principal Meridian except the North 232.5 feet thereof. Lying West of the Interstate 57 right-of-way, all in Rich Township, Cook County, Illinois containing 40.29 acres more or less exclusive of the right-of-ways for Sauk Trail, Central Road and I-57.

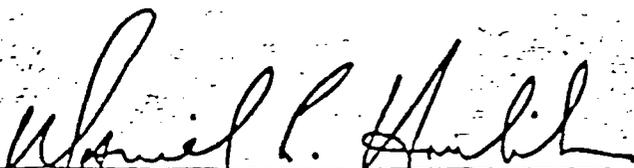
# 11. ACTUAL USE OF THE IMPROVEMENTS:

In conjunction with this application for reclassification, applicant has also filed an application for special use before the Zoning Board of Appeals requesting approval of the location of the above described property for special use as a sanitary landfill, after which, in conformance with the requested zoning reclassification, Parcel 1 will be utilized in conformance with the P-2, Open Land District, and Parcel 2 in conformance with the I-1, Restricted Industrial District.

APPLICANT'S STATEMENT

1. I have in my possession a copy of the "Rules of Practice and Procedure" issued by the Zoning Board of Appeals.
2. I am aware that filing fees may not be refunded.
3. To the best of my knowledge ( ) YES  NO violation of the Cook County Zoning Ordinance now exists on the subject property.
4. To the best of my knowledge, no deed restrictions or private covenants prevent the use, change of zone, special use, or variation sought in this application.
5. As an applicant, I am a lawyer or have been advised of the recommendation of the Zoning Board of Appeals that I obtain legal counsel of my choice to assist me in the preparation and presentation of my case.
6. I have been informed that Public Hearing dates are set by the Zoning Board of Appeals and that I will receive Notice of that date by certified mail at least fifteen (15) days before the Public Hearing.
7. I am aware that I may arrange, or request the assistance of the Secretary of the Zoning Board in arranging for the attendance of a court reporter at the hearing at my expense. I understand that if a court reporter is not present or is unable to make a complete transcript of the entire hearing, regardless of length, my case might be adversely affected by the lack of a complete record of the hearing.
8. I acknowledge that it is my responsibility to prepare all exhibits, arrange for the appearance of qualified witnesses and to have at the Hearing all documents relevant to this case.
9. With respect to soil, water and fire matters:
  - a. Cook County Soil and Water District information has been presented to me, and will comply with all applicable soil erosion, sediment control and flood control ordinances.
  - b. I am aware of the applicable ordinance, rules and regulations pertaining to water retention and run-off and understand that failure to prove compliance herewith, will result in denial of my application.
  - c. Except in variation cases, at the hearing I will present evidence of having informed the rural fire department of my plans.
10. Planned Unit Development Applications - Applicant must submit a copy of the preliminary site plan, showing ingress, egress, drainage and parking to the Chief Engineer of the Transportation and Planning Bureau of the Cook County Highway Department for preliminary approval. A public hearing date will be set only upon the submission and approval of said plat.
11. I have been informed of the Zoning Board's presumption of the general desirability of planned developments, where appropriate, and will either seek a planned development, where appropriate, or will offer reasons at the hearing for its inappropriateness in my case.

February 21, 1980  
DATE

  
APPLICANT'S SIGNATURE



DEPARTMENT OF BUILDING AND ZONING  
OF COOK COUNTY, ILLINOIS

ROOM 309 RICHARD J. DALEY CENTER

CHICAGO, ILLINOIS 60602

443-7693

GEORGE W. DUNNE  
President of the Board of  
Commissioners of Cook County

JOHN H. STROGER, JR.  
Chairman Committee  
Zoning and Building

WILLIAM F. HARRIS  
Commissioner of Building  
and Zoning

STATEMENT OF EXISTING CONDITIONS ON PROPERTY

LOCATED AT: Northeast corner of Central Rd. & Sauk Trail

TOWNSHIP: Rich

1. Are there existing structures or buildings on the site? YES ( ) NO

a. If yes, describe: \_\_\_\_\_

b. Heights: (number of stories) \_\_\_\_\_

c. Area (cover the ground): \_\_\_\_\_

d. Type of Construction: \_\_\_\_\_

2. Will the building(s) be used if Variation, Special Use, or Map Amendment is granted? YES ( ) NO ( )

If yes, what will be the intended use? \_\_\_\_\_

3. Will the intended use of the building(s) conform to the occupancy requirements of the Cook County Building Ordinance? YES ( ) NO ( )

COUNTY OF COOK )  
STATE OF ILLINOIS ) SS

DANIEL L. HOULIHAN, being first sworn on oath  
deposes and says, that all of the above statements and the statements contained  
in the documents submitted herewith are true.

Subscribed and sworn to before me this  
21st day of February, 1980.

Monica J. Dwyer  
Notary Public

[Signature]  
Applicant's Signature



DEPARTMENT OF BUILDING AND ZONING  
OF COOK COUNTY, ILLINOIS

RICHARD J. DALEY CENTER

CHICAGO, ILLINOIS 60602

ROOM 309

443-7693

GEORGE W. DUNNE

President of the Board of  
Commissioners of Cook County

WILLIAM F. HARRIS  
Commissioner of Building  
and Zoning

APPLICATION FOR A SPECIAL USE

SU 80-02

Zoning Board of Appeals Number

BEFORE THE ZONING BOARD OF APPEALS

Application Number  
Rich

County Board Number

Township  
28

Section  
February 19, 1974

Date Filed

This application must be filed in triplicate. Three copies of a Registered Surveyor's plat of survey and a statement in writing by the applicant and adequate evidence showing that the proposed special use will conform to the standards set forth in paragraph f. of Section 6.9, must accompany the application. Applicant will be notified of the date and place of the Public Hearing.

Applicant

Daniel L. Houlihan

Telephone 372-6255

Address

111 W. Washington Street, Chicago, Illinois 60602

2. Owner Cosmopolitan National Bank

Telephone

T/U/T #21247

Address 801 North Clark Street, Chicago, Illinois

3. Applicant is (Check one) Attorney () Agent () or Other  
(Submit Letter of Authorization from Owner) (Specify)

4. The present owner acquired legal title to the subject property on July 22, 1974  
(Date)

5. Location and acreage of property consists of approximately (85) acres  
see attached for location.

6. Legal description of subject property See Attached

COOK COUNTY CLERK  
JAMES J. COUGHLIN

I-1 Restricted Industrial District  
P-2 Open Land

- 7. Present zoning classification (If granted under companion document A-80-03)
- 8. REQUEST: The applicant requests approval of the location of the above described property for the following use: Sanitary Landfill
- 9. Describe briefly the type of use and improvement proposed Applicant requests approval of the location of the above described property for Special Use as a sanitary landfill, after which in conformance with the Cook County Comprehensive Land Use and policies plan, Parcel 1 will be utilized in conformance with the P-2 Open Land District, and Parcel 2 in conformance with the I-1 Restricted Industrial District.

County of Cook )  
State of Illinois )

DANIEL L. HOULIHAN

, being first duly sworn, on oath deposes and says, that all of the above statements and the statements contained in the documents submitted herewith are true.

Subscribed and sworn to before me this

2nd day of Feb 1980

*Daniel L. Houlihan*  
Signature of Applicant

*Monica J. Burger*  
Notary Public

Introduced By: ..... DATE: .....

Forwarded to the Board of Commissioners: ..... DATE: .....

Copy to the Zoning Board of Appeals: ..... DATE: .....

\$100.00 Fee Paid      Receipt No.      Received By: .....

